

Examination Checklist—Applicability	Yes	No
Depository Institutions		
1. Is the depository institution a bank, savings association, or credit union that originated in the preceding calendar year at least one home purchase loan (or refinancing of a home purchase loan) secured by a first lien on a one-to-four family dwelling? (§203.2(e)(1)(iii))		
2. Does the depository institution meet at least one of the criteria below?		
a. The depository institution is a federally insured or regulated institution (§203.2(e)(1)(iv)(A));		
b. The depository institution originated a mortgage loan (reference checklist question #1) that was insured, guaranteed, or supplemented by a federal agency (§203.2(e)(1)(iv)(B)); or		
c. The depository institution originated a mortgage loan (reference checklist question #1) intending to sell it to Fannie Mae or Freddie Mac (§203.2(e)(1)(iv)(C)).		
3. Did the depository institution have either a home or branch office in an MSA on December 31 of the preceding calendar year? (§203.2(e)(1)(ii))		
4. On the preceding December 31 did the depository institution have assets in excess of the asset threshold that is adjusted annually and published annually by the Federal Reserve Board? (§203.2(e)(1)(i))		
<p><i>If the answers to Applicability/Depository Institutions bullets 1 through 4 are “Yes”, then the depository institution is subject to the requirements of HMDA and Regulation C, and the examiner should complete the remaining portion of the checklist.</i></p>		
Non-Depository Institutions		
5. Is the depository institution a majority owner of a for-profit mortgage subsidiary? If the answer to question #5 is “Yes,” then complete questions #6 through #8; otherwise proceed to question #9.		
6. In the preceding calendar year, did the mortgage subsidiary either:		
a. Originate home purchase loans, including or refinancings of home purchase loans, that equaled at least 10 percent of its total loan-origination volume, measured in dollars? (§203.2(e)(2)(i)(A)) or,		
b. Originate home purchase loans, including or refinancings of home purchase loans, that equaled at least \$25 million? (§203.2(e)(2)(i)(B))		
7. Did the mortgage subsidiary have a home or branch office ⁵ in an MSA as of December 31 of the previous year? (§203.2(e)(2)(ii)) and,		
8. Does the mortgage subsidiary meet at least one of the criteria below? (§203.2(e)(2)(iii))		
a. The mortgage subsidiary had total assets (when combined with the assets of the parent corporation) exceeding \$10 million on the previous December 31, or		
b. The mortgage subsidiary originated at least 100 home purchase loans (including refinancings of home purchase loans) in the preceding calendar year.		
<p><i>If the answers to Applicability/Non-Depository Institutions bullets 6 through 8 are “Yes,” then the mortgage subsidiary is subject to the requirements of HMDA and Regulation C. If the depository institution that has a majority interest in the mortgage subsidiary is also subject to HMDA and</i></p>		

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	Yes	No
<p><i>Regulation C, then the examiner should complete a separate checklist for each entity beginning with question #9 for the mortgage subsidiary. If the depository institution that has a majority interest in the mortgage subsidiary is not subject to Regulation C and HMDA, the examiner should use the remaining portion of this checklist for the mortgage subsidiary. The examiner should note to which financial institution the remaining checklist questions apply.</i></p>		
Compilation of Loan Data		
9. Does the financial institution collect the following data in accordance with §203.4(a) and Appendix A?		
a. An identifying number (that does not include the applicant's name or social security number) for the loan or loan application, and the date the application was received? (§203.4(a)(1))		
b. The type of the loan or application? (§203.4(a)(2))		
c. The purpose of the loan or application? (§203.4(a)(3))		
d. Whether the application is for a pre-approval and whether it resulted in a denial or an origination. (§203.4(a)(4))		
e. The property type to which the loan or application relates? (§203.4(a)(5))		
f. The owner-occupancy status of the property to which the loan or application relates? (§203.4(a)(6))		
g. The loan amount or the amount requested on the application? (§203.4(a)(7))		
h. The type of action taken? (§203.4(a)(8))		
i. The date such action was taken? (§203.4(a)(8))		
j. The location of the property to which the loan or application relates by (§203.4(a)(9)):		
i. MSA or MD number (5 digits)?		
ii. State – (2 digits) numeric code?		
iii. County – (3 digits) numeric code?		
iv. Census tract number (6 digits)?		
k. The ethnicity and race of the applicant or borrower? (§203.4(a)(10))		
l. The ethnicity and race of the co-applicant or co-borrower? (§203.4(a)(10))		
m. The sex of the applicant or borrower? (§203.4(a)(10))		
n. The sex of the co-applicant or co-borrower? (§203.4(a)(10))		
o. The gross annual income relied on in processing the applicant's request? (§203.4(a)(10))		
<p><i>Note: Collection of data concerning ethnicity, and race, and sex is mandatory for all transactions unless the financial institution purchased the loans or the borrower is not a natural person (a corporation or partnership). Data on annual income is mandatory for all transactions</i></p>		

	Yes	No
<i>unless the financial institution purchased the loan, the borrower is not a natural person, one of the exceptions for ethnicity, race, and sex applies, or unless the loan is for a multifamily dwelling, income was not relied upon in the credit decision, or the loan is to an employee.</i>		
p. The type of entity purchasing a loan that the financial institution originates or purchases and then sells within the same calendar year? (§203.4(a)(11))		
q. For originated loans subject to Regulation Z, the difference between the loan's APR and the yield on Treasury securities having a comparable maturity period for originated loans subject to Regulation Z, if the APR is equal to or exceeds the yield on the Treasury security with a comparable maturity period or exceeds it by 3 percentage points for first lien loans and 5 percentage points for subordinate lien loans. (§203.4(a)(12))		
r. Whether the loan is subject to the HOEPA? (§203.4(a)(13))		
s. The lien status of the loan or application? (§203.4(a)(14))		
t. Does the financial institution provide the reasons for denial of an application? (§203.4(c)(1)) If yes, are the reasons accurate?		
u. Is the HMDA-LAR updated within 30 calendar days after the end of the quarter in which final action is taken? (§203.4(a))		
10. Does the institution request ethnicity, race, and sex data for all telephone, mail and Internet applications in accordance with Appendix B? (§203.4(b)(1))		
11. For applications taken face-to-face, does the financial institution note data concerning ethnicity, race, and sex on the basis of visual observation or surname if the applicant chooses not to provide this information? (§203.4(b)(1)) <i>Note: If the applicant fails to provide this information in mail, telephone, or Internet applications, the ethnicity, race and sex are not recorded; instead, an applicable code number is provided (ethnicity 3, race 6, and sex 3; NA should not be used for these three situations).</i>		
Disclosure and Reporting		
12. Is the loan or applicant data presented in the format prescribed in Appendix A of the regulation? (§203.4(a))		
13. Has the institution reported all applications for, and originations of and purchases of home-purchase loans, home-improvement loans, and refinancings? (§203.4(a))		
14. Has the financial institution refrained from reporting: (§203.4(d))		
a. Loans originated or purchased by the financial institution acting in a fiduciary capacity (such as trustee)?		
b. Loans on unimproved land?		

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c. Temporary financing (such as a bridge or construction loan)?		
d. Purchase of an interest in a pool of loans (such as mortgage-participation certificates, mortgage-backed securities, or real estate mortgage investment conduits)?		
e. Purchase solely of the right to service loans?		
f. Loans acquired as part of a merger or acquisition or as part of the acquisition of all assets and liabilities of a branch office?		
g. A refinancing if, under the loan agreement, the financial institution is unconditionally obligated to refinance the obligation, or is obligated to refinance the obligation subject to conditions under the borrower's control? (Appendix, I.A.5a)		
<p>15. Did the financial institution submit its completed HMDA-LAR to the appropriate supervisory agency in automated machine-readable format by March 1 following the calendar year for which the data are compiled? (§203.5(a))</p> <p><i>Note: Financial institutions that report twenty-five or fewer entries on their HMDA-LAR may collect and report their HMDA data in a paper form. Any financial institution opting to submit its data in such a manner must send two copies that are typed or computer printed. The institution must use the format of the HMDA-LAR, but need not use the form itself.</i></p>		
16. Has an officer of the financial institution signed the HMDA-LAR transmittal sheet certifying the accuracy of the data contained in the register? (Appendix A)		
17. Is the transmittal sheet accurately completed? (Appendix A)		
18. Has the financial institution maintained its HMDA-LAR in its records for at least three years? (§203.5(a))		
19. Has the financial institution made its FFIEC prepared disclosure statement:		
a. Available to the public at its home office no later than three business days after receiving it from the FFIEC? AND		
b. Available within ten business days in at least one branch office in each additional MSA or MD where the financial institution has offices; or posted the address for sending written requests in the lobby of each branch office in other MSAs or MDs where the institution has offices and delivered a copy of the disclosure statement within fifteen calendar days of receiving a written request? (§203.5(b))		
20. Has the financial institution made its modified HMDA-LAR (loan application number, date application received, and date action taken excluded from the data) for the preceding calendar year available to the public, by March 31 for requests received on or before March 1, and within 30 days for requests received after March 1? (§203.5(c))		
21. Has the financial institution maintained its modified HMDA-LAR for three years? Does the financial institution have policies and procedures to ensure its modified HMDA-LAR is available to the public during that term? (§203.5(d))		
22. Has the financial institution maintained its disclosure statement for 5 years? (§203.5(d))		

	Yes	No
23. Does the financial institution have policies and procedures to ensure its disclosure statement is available to the public during that term? (§203.5(d))		
24. Does the financial institution make available the modified HMDA-LAR and disclosure statement for inspection and copying during the hours the office is normally open to the public for business? If it imposes a fee for costs incurred in providing or reproducing the data, is it reasonable? (§203.5(d))		
25. Has the financial institution posted a general notice about the availability of its disclosure statement in the lobby of its home office and in each branch office located in an MSAa metropolitan area? (§203.5(e))		
26. Does the institution provide promptly, upon request, the location of the institution’s offices where the statement is available for inspection and copying, or include the location in the lobby notice? (§203.5(e))		
27. Did errors occur in the previous reporting period? (Review the financial institution’s last disclosure statement, HMDA-LAR, modified HMDA-LAR, and any applicable correspondence from the regulatory agency, such as notices of noncompliance.)		
28. If errors did occur, has the financial institution taken appropriate steps to correct and prevent such errors in the future?		
a. Have individuals who are responsible for all data-entry:		
i. Received appropriate training in the completion of the HMDA-LAR?		
ii. Been provided copies of Regulation C, including the instructions for completion of the HMDA-LAR, and the “A Guide to HMDA Reporting, Getting it Right!”		
iii. Know whom to contact, at the financial institution or their the institution’s supervisory agency, if they have questions not answered by the written materials?		
b. Are the financial institution’s loan officers (including loan officers in the commercial loan department who may handle loan applications for HMDA reportable loans (such as multi-family or mixed-use properties and small business refinances secured by residential real estate):		
i. Informed of the reporting requirements so they can assemble the necessary information, and do they understand the importance of accuracy?		
ii. Familiar with the disclosure statements that are produced from the data and cognizant of the ramifications for the financial institution if the data are wrong?		
iii. Maintain appropriate documentation of the information entered on the HMDA-LAR?		
c. If data are collected at more than one branch, are the appropriate personnel sufficiently trained to ensure that all branches are reporting data using the same guidelines?		
d. Does the financial institution have internal control processes to ensure that the persons who capture and code the data are doing so accurately and consistently?		
e. Does the financial institution have controls established to ensure separation of duties (e.g. data entry, review, oversight approval, etc.)?		